

### **REMARKS**

This RCE is submitted subsequent to the Notice of Allowance dated February 9, 2007. The listing of claims provided herewith is with respect to the allowed claims in that Notice of Allowance.

With this RCE, Applicant has added new Claims 50-53 directed to an imaging system. No new matter has been added as antecedent support can be found in the previously allowed application, such as at allowed Claims 1, 7, 16, 21-24 and 34 for example. In view of the allowance of the Claims 1, 7, 16, 21-24 and 34, which Claims 50-53 closely parallel the language of, Applicant submits that Claims 50-53 are likewise allowable, and respectfully requests notice of allowance thereof.

Also provided with this RCE is an Information Disclosure Statement (IDS) that serves to remedy a deficiency in the IDS submitted December 26, 2006, which listed four Non-Patent Literature (NPL) documents, but inadvertently did not include them with the submission. In the event that the Examiner notices any other deficiency associated with this case, Applicant's Attorneys respectfully requests the courtesy of a telephone call at the number provided below so that any such deficiency can be more efficiently handled.

Also included in the attached IDS is a recently discovered Foreign Search Report (FSR) from the Netherlands dated January 5, 2006, which is associated with the family patent publication NL1024584C. The relevance of each patent, publication, or other information listed, as it is presently understood by Applicant or Applicant's Attorneys, is provided by the X, Y or A categorization indicated in the FSR. A copy of the listed NPL document to Rembold U et al. "Computer and Sensor Supported Surgery", Proceedings of the Annual Conference of the International Orthopaedic Surgery, June 25, 1997, pgs. 849-854, indicated as a Category-A document, is not provided herewith as no copy is readily available to Applicant or Applicant's Attorneys at this time.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above identified Deposit Account.

Respectfully submitted,

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